

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Riad Kucher and Haroon Mojumder, on behalf of themselves and all other similarly-situated employees,

Plaintiff,  
-against-  
Domino's Pizza, Inc., et al.,  
Defendant.

Civil Case No. 16-cv-02492 (AJN)

**NOTICE OF MOTION TO DISMISS  
PURSUANT TO FED. R. CIV. P. 12(b)(2)**

**PLEASE TAKE NOTICE**, that pursuant to Rule 12(b)(2) of the Federal Rules of Civil Procedure, and for the reasons set forth in the Memorandum of Law submitted in support of this motion, Defendants Team Stamford, LLC; AAR, LLC; Lucky 13, Inc., and A.C. Pizza, Inc. (collectively "Connecticut Cookston Defendants") will move this Court, at the United States Courthouse located at 500 Pearl Street, New York, New York 10007, before the Honorable Alison J. Nathan on July 12, 2016 at 11:00A.M. or soon thereafter as counsel may be heard, for an Order granting Defendants' motion to dismiss the Complaint in its entirety against the Connecticut Cookston Defendants because they did not transact business within New York and otherwise do not have minimum contacts with New York, and because due process considerations have not been satisfied. Furthermore, a single integrated enterprise theory does not confer personal jurisdiction. Therefore, the Court lacks personal jurisdiction over the Connecticut Cookston Defendants.

The exhibits referred to in the Memorandum of Law, attached to this Notice as exhibits, include:

1. Affirmation of Cindy M. Cieslak – Exhibit A
2. Second Amended Complaint, dated May 16, 2016 – Exhibit B
3. Verification of Robert Cookston – Exhibit C
4. Verification of Lou O’Neill – Exhibit D

Pursuant to Local Rule 6.1(b), opposition papers shall be served by June 14, 2016.

Reply papers shall be served by June 21, 2016. Oral argument shall take place on July 12, 2016 at 11:00A.M. or soon thereafter as counsel may be heard

Dated: Hartford, Connecticut  
May 31, 2016

Respectfully submitted,

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A.C. Pizza, Inc.,

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**CERTIFICATION OF SERVICE**

This is to certify that on this 31<sup>st</sup> day of May, 2016, a copy of the foregoing was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.

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